

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 1-32 were pending in this application. Claims 2-4, 6-7, 9-10, and 13-16 have been canceled in this reply without prejudice or disclaimer. Claim 1 has been amended to clarify the recited invention. No new matter has been added by this amendment. Support for the amendment can be found, for example, in Figures 3, 4, and 25, and the accompanying descriptions thereof in the originally filed specification.

#### **Objections**

Claim 7 was objected to for containing a minor informality. Claim 7 has been canceled in this reply without prejudice or disclaimer. Accordingly, this objection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

#### **Rejections under 35 U.S.C § 103**

Claim 1 stands rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,528,982 B1 (hereinafter "Yanagisawa"). Claim 1 has been amended in this reply to clarify the present invention recited. For the following reasons, the rejection is respectfully traversed.

The present invention as recited in amended claim 1 advantageously does not

require a high speed port, which is a costly device, for measuring a clock skew between a plurality of clock signals output from a device under test. Furthermore, in accordance with the present invention as recited in claim 1, a clock skew is obtained using a reference signal to a plurality of clock signals to be measured in a timing measurement. The reference signal is used as a reference for comparison to a timing of each of the plurality of clock signals. Each of measurements of clock skew is carried out one by one. The results are outputted from the device under test to the clock skew estimator for estimating a value of the clock skew.

In this regard, the results of the timing measurements can be output from one output terminal of the device under test. Thus, it is not necessary to increase the number of the output terminals with the number of clock signals to be output. Without increasing the number of output terminals of a device under test, a larger number of clock signals can be output from the device under test. This feature is particularly beneficial for clock skew measurements in a device including highly packed circuits or chips distributing clock signals.

In contrast, Yanagisawa teaches a jitter detector 10 shown in Figure 1. The Examiner admits that Yanagisawa does not disclose a clock signal selecting element selecting clock signals to be measured one by one. The jitter reducer of Yanagisawa includes a comparator pulse generator 103 for outputting one phase difference comparison pulse one after another. Further, Yanagisawa states that an objection of the invention is to provide a phase difference detector (the jitter detector) "without increasing the circuit size thereof." (Column 2, line 18-26) Yanagisawa does not contemplate any of the problems solved by the present invention and cannot achieve the above advantages

of the present invention as recited in amended claim 1. Thus, one skilled in the art would not be lead to modify the device disclosed in Yanagisawa without benefit of the Applicant's own specification.

In view of the above, Yanagisawa fails to show or suggest the present invention as recited in amended claim 1. Thus, claim 1 as amended is patentable over Yanagisawa. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-7, 13-14, 17-24, and 30-31 stand rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,522,122-B2 (hereinafter "Watanabe"). For the reasons set forth below, this rejection is moot.

The present invention was at the time of filing, and remains, assigned to Advantest Corporation (U.S.P.T.O. Reel 012952, Frame 0629). Similarly, Watanabe was at the time of filing, and remains, assigned to Advantest Corporation (see, front page of patent). Therefore, under 35 U.S.C. § 103(c), which states "subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person," Watanabe cannot be used as prior art against the claims of the present application.

Because Watanabe is an improper prior art reference under 35 U.S.C. § 103(c), it cannot be relied upon in rejecting the claims of the present application. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8-12, 15-16, 25-29, and 32 stand rejected under 35 U.S.C. § 103 as

obvious over Watanabe in view of U.S. Patent No. 4,896,271 (hereinafter "Jenq"). For the reasons set forth below, this rejection is now moot.

The present invention was at the time of filing, and remains, assigned to Advantest Corporation (U.S.P.T.O. Reel 012952, Frame 0629). Similarly, Watanabe was at the time of filing, and remains, assigned to Advantest Corporation (see, front page of patent). Therefore, under 35 U.S.C. § 103(c), which states "subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person," Watanabe cannot be used as prior art against the claims of the present application.

Because Watanabe is an improper prior art reference under 35 U.S.C. § 103(c), only Jenq can be relied upon in rejecting the claims of the present application. Jenq is cited only as supplying features that Watanabe lacked. Jenq alone fails to disclose each and every element of the independent claims of the present application.

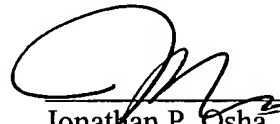
In view of the above, Jenq fails to show or suggest the present invention as recited in the independent claims of the present application. Thus, the independent claims are patentable over Jenq. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 02008.070001).

Respectfully submitted,

Date: 4/5/03



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